

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BOBBY JOE BROWN,)	
)	
Petitioner,)	
)	1:22CV489
v.)	1:08CR359-1
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

On July 5, 2022, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties in accordance with 28 U.S.C. § 636(b). Petitioner objected to the Recommendation. (Doc. 136.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and DISMISSED *sua sponte* for failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the Court of Appeals as required by 28 U.S.C. §§ 2255 and 2244 and Fourth Circuit Local Rule 22(d) and that, there being neither a substantial issue for appeal concerning the denial of a

constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability not issue.

/s/ Thomas D. Schroeder
United States District Judge

August 8, 2022